

# UNITED STATES COURT OF APPEALS

# FOR THE

# SECOND CIRCUIT

At a Stated Term of the United States Court of Appeals for the Second Circuit, held at the Thurgood Marshall United States Courthouse, 40 Foley Square, in the City of New York, on the 30<sup>th</sup> day of December, two thousand nineteen.

Before: José A. Cabranes,  
Gerard E. Lynch,  
Susan L. Carney,  
*Circuit Judges.*

USDC SDNY  
DOCUMENT  
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Aldo Vera, Jr., as Personal Representative of the Estate  
of Aldo Vera, Sr.,

## JUDGMENT

Docket No. 18-2345

Plaintiff - Appellee,

William O. Fuller, as Successor Personal Representative  
of the Estate of Robert Otis Fuller; Gustavo E. Villoldo,  
individually and as Administrator, Executor, and  
Personal Representative of the Estate of Gustavo  
Villoldo; Alfredo Villoldo,

Petitioners-Appellees,

v.

Banco Bilbao Vizcaya Argentaria, S.A.,

Respondent- Appellant.

The appeal in the above captioned case from a judgment of the United States District Court for the Southern District of New York was argued on the district court's record and the parties' briefs. Upon consideration thereof,

IT IS HEREBY ORDERED, ADJUDGED and DECREED that the district court's judgment is REVERSED, the turnover orders are VACATED, and case is REMANDED to the district court with instructions to dismiss the amended Omnibus Petition and issue an order directing Appellees to return to BBVA the funds that BBVA paid them under the void turnover orders.

For the Court:  
Catherine O'Hagan Wolfe,  
Clerk of Court

A True Copy

Catherine O'Hagan Wolfe, Clerk

United States Court of Appeals, Second Circuit



*Catherine O'Hagan Wolfe*



MANDATE ISSUED ON 02/28/2020